

## CHAPTER 146

### VEHICLES, STORAGE OF

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**HISTORY: Adopted by the Board of Supervisors of the Township of Paradise 2-3-1987 as Ch. 10, Part 1, of the 1987 Code. Amendments noted where applicable.**

#### GENERAL REFERENCES

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|--------------------------------------|--------------------------------------|
| Littering -- See Ch. 74.             | Vehicles and traffic -- See Ch. 142. |
| Property maintenance -- See Ch. 102. | Zoning -- See Ch. 160.               |
| Recycling -- See Ch. 119, Art. I.    |                                      |
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#### § 146-1. Definitions.

- A. Except as defined in this Code (see Chapter 1, General Provisions, Article II, Definitions), all words shall carry the customary meaning.<sup>1</sup>
- B. In this chapter, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

#### § 146-2. Motor vehicle nuisances prohibited. [Amended 12-6-1988 by Ord. No. 91]

- A. It shall be unlawful for any person, owner or lessee to maintain a motor vehicle nuisance upon the open private grounds of such person, owner or lessee within the township. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power or which has not been licensed or inspected for a period of one year and has any of the following physical defects:
- (1) Broken windshields or windows allowing access of animals or humans, with sharp edges.<sup>2</sup>
  - (2) One or more flat or open tires or tubes which could permit vermin harborage.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>2</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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- (3) Missing doors, windows, hood, trunk or other body parts which could permit animal harborage.
- (4) Any body parts with sharp edges, including holes that allow access to animals or humans.<sup>3</sup>
- (5) Missing tires resulting in unsafe suspension of the motor vehicle.
- (6) Upholstery which is torn or open which could permit animal and/or vermin harborage.<sup>4</sup>
- (7) Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion.<sup>5</sup>
- (8) Protruding sharp objects from the chassis.
- (9) Broken vehicle frame suspended from the ground in an unstable manner.
- (10) Leaking or damaged oil pan or gas tank which could cause fire or explosion.
- (11) Exposed battery containing acid.
- (12) Inoperable locking mechanism for doors or trunk.
- (13) Open or damaged floor boards, including trunk and firewall.
- (14) Damaged bumpers pulled away from the perimeter of vehicle.
- (15) Broken grill with protruding edges.
- (16) Loose or damaged metal trim and clips.<sup>6</sup>
- (17) Suspended on unstable supports.
- (18) Such other defects which could threaten the health, safety and welfare of the citizens of the township.

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<sup>3</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>4</sup>Editor's Note: Original § 102, Subsection (7), which provided for broken headlamps or tail-lamps with sharp edges, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>5</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)

<sup>6</sup> Editor's Note: Original § 102, Subsection (18), which provided for broken communication equipment antennae, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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- B. In all non-commercial zones any unregistered farm equipment or heavy equipment (i.e.) loader/backhoe, trailer, dump truck, etc.) used by the property owner solely on the premises for personal use shall be screened in accordance with Section 160-18 B. <sup>7</sup>

#### **§ 146-3. Storage of motor vehicle nuisances permitted.**

- A. Any person, owner or lessee who has one or more motor vehicle nuisances, as defined in § 146-1 above, may store such vehicle(s) in the township only in strict compliance with the regulations provided herein. Such person, owner or lessee must first apply for a permit for either temporary or permanent storage and pay a fee to the township such as may be provided from time to time by resolution of the Board of Supervisors.<sup>8</sup> The motor vehicle nuisance(s) must be stored within a garage or other enclosed building or outside within an opaqued fence at least six feet high which is locked at all times when unattended. With the special approval of the Board of Supervisors, motor vehicle nuisances may also be stored outside in an area enclosed by a chain link fence, at least six feet high, screened by shrubbery around the perimeter to the height of the fence, with an unobstructed gate capable of admitting fire or emergency equipment. Such gate shall remain locked at all times when unattended. In addition all gas and oil or other flammable liquid shall be removed from the motor vehicle and it shall be kept free of vermin infestation while being stored. The total area of storage of motor vehicle nuisances may not exceed 500 square feet. [Amended 12-6-1988 by Ord. No. 91]
- B. Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of the Paradise Township Zoning Ordinance.<sup>9</sup>

#### **§ 146-4. Inspection; notice to comply.**

- A. The Zoning Officer is hereby empowered to inspect grounds on which motor vehicles are stored to determine if there is compliance with the provisions of this chapter. If noncompliance with the provisions of this chapter constitutes a nuisance, or if any condition, structure or improvement poses a threat to the health, safety or welfare of the public, he shall issue a written notice to be served by registered or certified mail upon the owner of said premises or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.

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<sup>7</sup>Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>8</sup>Editor's Note: The current Fee Schedule is on file in the township offices.

<sup>9</sup>Editor's Note: See Ch. 160, Zoning.

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- B. Said notice shall specify the condition or structure or improvement complained of and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvement as set forth therein within 10 days of mailing or posting of said notice and, thereafter, to fully comply with the requirements of the notice within a reasonable time.

**§ 146-5. Authority to remedy noncompliance.**

If the owner of grounds on which motor vehicles are stored does not comply with the notice to abate the conditions within the time limit prescribed, the Board of Supervisors shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus 10% of all costs. The township, in such event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

**§ 146-6. Hearing.**

- A. Any person aggrieved by the decision of the Zoning Officer may request and shall then be granted a hearing before the Board of Supervisors, provided that he files with the Board of Supervisors, within 10 days after notice of the Zoning Officer's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than 30 days after the date on which the petition was filed unless postponed for sufficient cause.
- B. After such hearing, the Board of Supervisors shall sustain, modify or overrule the action of the Zoning Officer.

**§ 146-7. Violations and penalties.<sup>10</sup>**

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine not more than \$1,000 and/or to undergo imprisonment for a term not to exceed 90 days. Each day that a violation of this chapter continues shall constitute a separate offense.

**§ 146-8. Remedies not mutually exclusive.**

The remedies provided herein for the enforcement of this chapter, or any remedy provided by law, shall not be deemed mutually exclusive; rather, they may be employed simultaneously or consecutively, at the option of the Board of Supervisors.

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<sup>10</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)